

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Barb Dickman, Cynthia Knapcik, and
Kimberly Bowen,

Plaintiffs,

v.

The Mayo Clinic, a Minnesota non-profit
corporation; Mayo Clinic Health System–
Franciscan Medical Center, Inc., a
Minnesota non-profit corporation (foreign);
Mayo Clinic Health System–Southeast
Minnesota Region, Inc., a Minnesota non-
profit corporation; Mayo Clinic Health
System–Northwest Wisconsin Region, a
Wisconsin non-stock corporation,

Defendants.

Court File No. 0:23-cv-00406-JRT-ECW

**STIPULATION TO STAY
DEFENDANTS’ RESPONSIVE
PLEADING DEADLINES**

The above-captioned Plaintiffs and Defendants¹, by undersigned counsel, hereby respectfully submit this Joint Stipulation to stay Defendants’ responsive pleading deadlines. The Parties submit that these deadlines should be stayed for good cause, in the interests of judicial efficiency, conservation of judicial resources, and to avoid hardship on the Parties. The Parties stipulate as follows:

1. Plaintiffs’ counsel has filed over twenty Complaints and Amended Complaints (the “Lawsuits”) on behalf of over 100 Plaintiffs related to Defendant Mayo Clinic’s Vaccination Policy for COVID-19, which are pending before this Court.

¹ The proper Defendants in this matter are: Mayo Clinic Health System–Franciscan Medical Center Inc., Mayo Foundation for Medical Education & Research, and Mayo Clinic Health System–Southeast Minnesota Region.

2. The Parties have conferred and identified five (5) representative cases (the “Representative Cases”):

- *Sherry Ihde v. The Mayo Clinic*, Case No. 0:22-cv-01327-JRT-ECW;
- *Kristin Rubin v. The Mayo Clinic*; Case No. 0:22-cv-01427-JRT-ECW;
- *Kenneth Ringhofer v. Mayo Clinic Ambulance*, 0:22-cv-01420-JRT-ECW;
- *Anita Miller v. The Mayo Clinic Hospital – Rochester*, Case No. 0:22-cv-01405-JRT-ECW; and
- *Shelly Kiel v. Mayo Clinic Health System Southeast Minnesota*, Case No. 0:22-cv-01319-JRT-ECW.

All of the other Lawsuits are considered to be non-representative cases (the “Non-Representative Cases”).

3. Defendants have filed a Consolidated Motion to Dismiss in the Representative Cases (the “Consolidated Motion to Dismiss”).

4. In an Order dated December 8, 2022, the Court stayed all responsive pleading deadlines in the then-filed Non-Representative Cases, including those yet to be filed, such that all responsive pleadings in the Non-Representative Cases are due **45 days** after a ruling on the Consolidated Motion to Dismiss, if any part of the cases remain. (Case No. 22-cv-01467-JRT-ECW, Dkt. No. 26).

5. On February 16, 2023, Plaintiffs filed the instant lawsuit. (Dkt. No. 1.)

6. On February 17, 2023, Plaintiffs sent Defendants a Waiver of the Service of Summons, which Defendants accepted and signed on February 21, 2023.

7. Presently, Defendants must file their Answer or otherwise plead by April 18, 2023.

8. The instant case is a Non-Representative Case.

9. The Parties agree, in accordance with the Court's December 8, 2022 Order, that any responsive pleading in the instant case shall be due **45 days** after a ruling on the Consolidated Motion to Dismiss, if any part of the case remains. (*See* Case No. 22-cv-01467-JRT-ECW, Dkt. No. 26).

10. Good cause exists for a stay of the responsive pleading deadlines in the instant case until the Court has had the opportunity to hear and rule upon the Consolidated Motion to Dismiss. The Parties' requested stay will promote judicial efficiency, prevent unnecessary litigation costs and expenses, and avoid duplication of efforts.

NOW, THEREFORE, in the interests of efficient management of this case, the Parties jointly request that the Court order any responsive pleading in this case to be due **45 days** after a ruling on the Consolidated Motion to Dismiss, if any part of the case remains.

Dated: March 31, 2023

/s/Gregory M. Erickson

Gregory M. Erickson, Bar No. 276522
Vincent J. Fahnlander, Bar No. 19220X
William F. Mohrman, Bar No. 168816
Mohrman Kaardal & Erickson, PA
150 S 5th Street, Suite 3100
Minneapolis, MN 55402
Telephone: 612-341-1074
erickson@mklaw.com
fahnlander@mklaw.com
mohrmanr@mklaw.com

Attorneys for Plaintiffs

Dated: March 31, 2023

s/Emily A. McNee
George R. Wood, Bar No. 0166017
gwood@littler.com
Holly M. Robbins, Bar No. 260381
hrobbins@littler.com
Kathryn Mrkonich Wilson, Bar No. 283605
kwilson@littler.com
Emily A. McNee, Bar No. 0395228
emcnee@littler.com
Hannah C. Hughes, Bar No. 0401726
hhughes@littler.com
Lehoan T. Pham, Bar No. 0397635
hpham@littler.com
Katherine E. Tank, Bar No. 0400263
ktank@littler.com
LITTLER MENDELSON, P.C.
1300 IDS Center
80 South 8th Street
Minneapolis, MN 55402.2136
Telephone: 612.630.1000
Facsimile: 612.630.9626

Attorneys for Defendants

4857-6622-9077.1 / 116426-1032